

East Bellevue Community Council
Summary Minutes of Regular Meeting

December 3, 2002
6:30 PM

Lake Hills Community Clubhouse
Bellevue, Washington

PRESENT: Chair Bell, Councilmembers Keeffe, Seal and Weichmann

ABSENT: Councilmember Halgren

STAFF: Mary Kate Berens, Legal Planner

1. CALL TO ORDER

The meeting of the East Bellevue Community Council was called to order at 6:30 PM with Chair Bell presiding. Chair Bell led the flag salute.

2. ROLL CALL

Upon roll call by the Deputy City Clerk, all Councilmembers were present with the exception of Mr. Halgren.

3. COMMUNICATIONS – WRITTEN AND ORAL

Mr. Bill Serr, 1412 153rd Place SE, reported that a Citizen Advisory Committee will be meeting on December 4, 2002 at Sammamish High School, 7:00 PM, to prioritize proposed sidewalk projects.

Mr. Serr next stated his concern regarding the relocation of City Hall, the purchase of the Qwest Building and lack of public process.

4. APPROVAL OF AGENDA

Mr. Seal moved approval of the December 3, 2002 agenda. Ms. Weichmann seconded the motion.

Chair Bell called for agenda additions or modifications.

Mr. Keeffe requested the addition of agenda items 10(a), PSE pole at 140th and NE 8th, and 10(b), Growth Management Board appeal status.

Motion to approve the December 3, 2002 agenda as amended carried 4-0.

5. COURTESY PUBLIC HEARINGS:

- (a) Land Use Amendment to amend land use regulations related to public and private schools

Ms. Berens made the staff presentation. She briefly reviewed the impetus for the proposed legislation, stating that the Community Council's feedback in November has been incorporated into the revised proposal printed in tonight's packet. She stated that this matter will go before the Planning Commission for public hearing on December 11, 2002.

Ms. Berens highlighted the following changes:

- Increase in height of 10' above underlying district allowed through ACU process on sites of 5 acres where mechanical equipment is not located on the roof;
- Additional height beyond this is allowed on sites of 5 acres for certain programmatic requirements like theatres, gymnasiums and libraries, but require a conditional use process; and
- In residential districts a school project subject to the ACU process must still include a community meeting, similar to the community meeting required early in the review process for conditional use projects.

The ordinance has been modified to clearly eliminate the two existing definitions of "school" and replace with one definition that will apply citywide. The definition still contains a limit on the percentage of pre-kindergarten age children, however. We discussed school certification procedures with the state Office of the Superintendent of Public Instruction and learned that the state certifies only the K-12 elements of a school program. Pre-kindergarten programs are not certified by the state. For that reason, staff felt it important to maintain a limit on the total proportion of pre-kindergarten age children in the definition to maintain a distinction between daycares and schools while still acknowledging that some schools offer programs for younger children as well.

Ms. Berens reiterated staff's plans to offer both the substantive and process changes in two separate ordinances to allow Community Council consideration independently.

In response to Mr. Keeffe, Ms. Berens stated there are two conditional use processes: The administrative conditional use process which entails the approval/disapproval of the Director of Planning and Community Development; And, the conditional use process which includes City Council approval/disapproval.

Ms. Berens explained staff's rationale for proposing the administrative conditional use process for school projects where an existing school is already located. She reviewed the triggering thresholds for the conditional use process.

Mr. Keeffe expressed concern regarding a proposed process change that would ~~void~~ eliminate the Community Council's conditional use oversight authority.

Corrected 1/7/03

Mr. Seal pointed out the flaw in the criteria of an increase of 20% or more in the number of students occupying the school over the number of students occupying the school in the academic year immediately preceding the proposed addition or modification or over the number of students for which the school was designed prior to the addition or modification, whichever is greater. He explained that the "or" would allow a school designed for 1500 students but already well beyond that capacity to qualify for a 19% student population increase under the administrative conditional use process. Ms. Berens acknowledged Mr. Seal's point, stating that was not staff intent.

Chair Bell stated his concern with the proposed building height language in Section 20.20.740, subsection 3(b), that allows an increase in building height above that allowed under subsection 3(a) with approval of the Director if that portion of the structure exceeding the maximum building height of the underlying district satisfies certain criteria. Ms. Berens stated the verbiage "approved by the Director" should now read "through the conditional use process". All listed criteria must be satisfied. She explained the proposed language reverted back to the conditional use process in response to the Community Council's concern noted at the November meeting.

In response to Mr. Seal, Ms. Berens clarified Section 20.20.740, subsection 3(a), stating, basically, any school through an administrative conditional use process could apply for a 10 foot increase above the maximum height of the underlying district so long as the mechanical equipment is located inside or alongside the building and the site is at least 5 acres.

Chair Bell opened the courtesy public hearing.

Renay Bennett, 826 108th Avenue SE, stated her concern with public notification in regards to these proposed changes. She stated that she feared few of the impacted homeowners are being made aware of the proposed changes to the increased height limits, decreased setback requirements and potential reduced open space for play areas. Ms. Bennett requested Community Council help in getting the word out.

Mr. Keeffe recalled a Joint Committee of the School Board and City Council. He suggested that Ms. Bennett state her concerns and request for public involvement to that body. He asked the Clerk to verify the Committee's existence.

Chair Bell suggested that Mr. Jack McCloud of the Bellevue School District be invited to give a similar presentation as the one presented to the Community Council in November to the Planning Commission during their public hearing. In response, Ms. Berens reviewed the public outreach accomplished to date.

Bill Serr provided a historical perspective of schools in the area, stating the proposed height increase for Sammamish High School is for a good reason. He stated his safety concerns.

Barbara Olson, 13710 SE Somerset Lane, stated her agreement with Ms. Bennett regarding the need to better inform residents of land use changes in their area and her concern with the potential school expansions.

Bart Goft, 421 155th Place SE, stated his concern with the potential of outside playground area reductions to accommodate expansion of classrooms. He stressed the importance of outside activities. Mr. Goft stated his disbelief that there appears to be no Education Committee at the City Council level that offers recommendations to the School Board on issues such as these. He stated that he felt it was the City's responsibility to partner with the Bellevue School District on safety issues.

Ms. Bennett stated her concern regarding changes that accommodate potential school population increases, as most of Bellevue's schools are already overcrowded.

Seeing no one further wishing to speak, Mr. Keeffe moved to close the courtesy public hearing. Mr. Seal seconded the motion, which carried unanimously.

Mr. Keeffe pointed out the size and coverage area of the Bellevue School District.

Chair Bell summarized the Council's concerns and reviewed agreed changes.

Mr. Keeffe restated his concern about the shift from conditional use to the administrative conditional use processes.

Mr. Seal expressed his concern with the side and rear setback language.

6. **RESOLUTIONS:** None.

7. **REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS:** None

8. **DEPARTMENT REPORTS** None.

9. **COMMITTEE REPORTS:**

Mr. Seal reported that the parked trucks and trailers at the old Albertson site have been removed. He stated that the redevelopment of the grocery store at the Lake Hills Shopping Center is now in high gear, set to open before Christmas.

10. **UNFINISHED BUSINESS**

(a) Puget Sound Energy's pole at 140th Avenue and NE 8th

Mr. Keeffe stated that, apparently, there has been insufficient time for staff to respond to the Community Council's inquiry.

Chair Bell noted that the Community Council communication to Mr. Upston was sent out on November 22, 2002.

Ms. Berens stated that if the replacement pole adds no more than 21 feet of height to the height of the existing pole, it is treated as attached to an existing structure which requires an administrative conditional use permit.

(b) Status of GMA Appeal

Mr. Bell reported on the status of the consolidated lawsuits before the Court of Appeals.

11. NEW BUSINESS

(a) Relocation of City Hall

Mr. Keeffe suggested that Council draft a memorandum to the City Council stating the fact that the City is already in a tight budget process necessitating program cuts and the redistribution of CIP funds, and noting the Community Council's concern that there has been no public hearing on this historic proposed City investment.

Mr. Seal noted that the proposed location will be less accessible to most Bellevue citizens, stating probable parking restrictions.

Chair Bell reminded Council that the final public hearing on the 2003-2004 budget was held November 18, 2002, offering the public, at that conjuncture, an opportunity to comment on the proposed acquisition of the Qwest Building.

There was Council discussion and consensus to draft a memorandum to the City Council.

Mr. Keeffe summarized Council's concerns which included:

- Accessibility;
- Lack of ~~a street forward~~ an easily identified main entrance located on a main arterial;
- Lack of public process for the largest single expenditure of dollars in the City's history;
- Loss of tax revenue.

Corrected 1/7/03

12. CONTINUED COMMUNICATION: None.

13. EXECUTIVE SESSION None.

14. APPROVAL OF MINUTES

(a) November 6, 2002 East Bellevue Community Council Summary Minutes

Mr. Seal moved approval of the November 6, 2002 East Bellevue Community Council summary minutes.

Mr. Keffe seconded the motion.

Motion to approve the November 6, 2002 summary minutes carried 4-0.

15. ADJOURNMENT

Mr. Keffe moved adjournment. Mr. Seal seconded the motion, which carried 4-0. The meeting of December 3, 2002 adjourned at 8:37 PM.

Submitted by:

Michelle Murphy, CMC
Deputy City Clerk